

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Beckley

Date: 5/23/2016

Case Number 5:14-cv-24506

Case Style: Daugherty vs. Ocwen Loan Servicing

Type of hearing Civil Jury Trial - Day 6

Before the honorable: 2516-Berger

Court Reporter Mary Schweinhagen

Courtroom Deputy Kierstin Tudor

Attorney(s) for the Plaintiff or Government Ralph Young, Jed Nolan & Steven Broadwater

Attorney(s) for the Defendant(s) Jason Manning & Jonathan Kenney

Law Clerk Trevor Garmey

Probation Officer

Trial Time

Jury Trial. Day No. 6

Non-Trial Time

Court Time

9:00 am to 9:11 am

9:30 am to 11:28 am

11:57 am to 11:58 am

1:38 pm to 1:46 pm

3:06 pm to 3:47 pm

5:01 pm to 5:06 pm

7:24 pm to 7:31 pm

Total Court Time: 3 Hours 11 Minutes Court actively conducting trial proceedings/Contested proceedings

Courtroom Notes

CIVIL TRIAL - DAY SIX

Scheduled Start 9:00 a.m.

Actual Start 9:00 a.m.

Court goes over revised jury charge with counsel.

Court takes recess at 9:11 a.m.

Court resumed at 9:30 a.m.

Court addresses matters with counsel.

Jury brought in and given final jury instructions.

Mr. Nolan begins closing argument for Plaintiff.

Mr. Manning makes closing argument for Defendant.

Mr. Young concludes closing argument for Plaintiff.

Court gives remaining final instructions to jury.

Jury excused to deliberate at 11:25 a.m.

Court addresses verdict form with counsel.

Court recessed at 11:28 a.m.

Court resumed at 11:57 a.m.

Court addresses jury note with counsel (marked as Court Ex 1).

Jury excused for lunch at 11:58 a.m.

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Court recessed at 11:58 a.m.

Court resumed at 1:38 p.m.

Court addresses jury note with counsel (marked as Court Ex 2).

Court recessed at 1:46 p.m.

Court resumed at 3:06 p.m.

Court addresses jury note with counsel (marked as Court Ex 3).

Jury has reached a verdict.

Court reads jury verdict in open court.

Verdict in favor of Plaintiff.

Court polls jury.

Jury excused for recess.

Court addresses punitive damages instruction with counsel.

Plf't Exs 30 and 31 marked and admitted.

Jury brought in.

Jury instructed regarding punitive damages.

Mr. Young makes closing regarding punitive damages.

Mr. Manning makes closing regarding punitive damages.

Jury excused to deliberate at 3:47 p.m.

Court recessed 3:47 p.m.

Court resumed at 5:01 p.m.

Court addresses jury note with counsel (marked as Court Ex 4).

Jury brought in and Court responds to their note.

Jury excused to continue deliberations.

Court recessed at 5:06 p.m.

[Court Ex 5 marked]

Court resumed at 7:24 p.m.

Jury has reached a verdict regarding punitive damages.

Court reads jury verdict in open court.

Verdict in favor of Plaintiff.

Court polls jury.

Jury excused.

Court hears motions from Mr. Manning, and advises that counsel may submit written motions within ten days.

Court adjourned at 7:31 p.m.